

  
*Colorado Legislative Council Staff Fiscal Note*  
**STATE**  
**FISCAL IMPACT**

**Drafting Number:** LLS 11-0673  
**Prime Sponsor(s):** Rep. Coram  
 Sen. Schwartz

**Date:** February 3, 2011  
**Bill Status:** House Agriculture  
**Fiscal Analyst:** Clare Pramuk (303-866-2677)

**TITLE:** CONCERNING A REQUIREMENT THAT THE COMMISSIONER OF AGRICULTURE LICENSE GRAIN PROTEIN ANALYZERS PRIOR TO COMMERCIAL USE, AND, IN CONNECTION THEREWITH, EXEMPTING GRAIN PROTEIN ANALYZERS FROM THE REQUIREMENT THAT A CERTIFICATE OF CONFORMANCE BE ISSUED PRIOR TO USE FOR COMMERCIAL OR LAW ENFORCEMENT PURPOSES.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
<b>State Revenue</b>		
Cash Funds		
Inspection and Consumer Services Cash Fund	\$875	\$875
<b>State Expenditures</b>		
General Fund		
		\$150
Cash Funds		
Inspection and Consumer Services Cash Fund	\$600	450
<b>FTE Position Change</b>		
<b>Effective Date:</b> August 10, 2011, if the General Assembly adjourns on May 11, 2011, as scheduled, and no referendum petition is filed.		
<b>Appropriation Summary for FY 2011-2012:</b> None required.		
<b>Local Government Impact:</b> None.		

**Summary of Legislation**

This bill requires the Commissioner of Agriculture to license grain protein analyzers prior to commercial use. In FY 2011-12, the commissioner is to charge a fee to cover all the direct and indirect costs associated with licensing, testing, inspection and regulation. In FY2012-13, 25 percent of the costs are to be funded from the General Fund. The bill exempts grain protein analyzers from requiring a national certificate of conformance.

**State Revenue**

*Revenue to the Inspection and Consumer Services Cash Fund are expected to increase by \$875 in FY 2011-12 and FY 2012-13 from licensing fees.*

***Fee Impact on Individuals, Families or Business.*** Section 2-2-322, C.R.S., requires legislative service agency review of measures which create or increase any fee collected by a state agency. Approximately 25 grain protein analyzers will be licensed annually. The fee will be set in rule by the commissioner, but is assumed to be \$35 for purposes of estimating the revenue impact. Table 1 below identifies the fee impact of this bill.

<b>Table 1. Annual Fee Impact on Individuals, Families or Business under HB11-1159</b>					
<b>Type of Fee</b>	<b>Current Fee</b>	<b>Proposed Fee</b>	<b>Fee Change</b>	<b>Number Affected</b>	<b>Total Fee Impact</b>
Grain Protein Analyzer License	0	35	35	25	\$875
<b>TOTAL</b>					<b>\$875</b>

### **State Expenditures**

***This bill will increase expenditures of the Department of Agriculture by \$600 in FY 2011-12 and FY 2012-13.*** In FY 2011-12, this is funded entirely from the Inspection and Consumer Services Cash Fund. In FY 2012-13, this will be funded \$150 from the General Fund and \$450 from the Inspection and Consumer Services Cash Fund.

Expenditures for the department's licensing of the United States Department of Agriculture Federal Grain Inspection Service standards are \$600 annually. Because grain protein analyzers are located with moisture testers that are currently licensed, inspections of the analyzers is not expected to increase department workload.

### **State Appropriations**

The Department of Agriculture requires an appropriation of \$600 from the Inspection and Consumer Services Cash Fund for FY 2011-12.

### **Departments Contacted**

Agriculture